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Second Session of the Open-ended Intergovernmental Expert Working Group on Adequate Housing for All

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Agenda item 3. Consideration of the outcomes of the preparatory intersessional meetings, including draft recommendations

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Tenure Security for Housing

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22 October 2025
Nairobi

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Background

HSP/OEWG-H.2025/INF/3

TENURE SECURITY FOR HOUSING - Framing the discussion

- Certainty that land and housing rights are legally recognized, enforceable and socially accepted
- Constitutes legal, actual and perceived rights on land and housing
- Crucial to dignity and inclusion, while upholding the ecological and social function of land as foundation for collective well-being
- **Driver for Inclusive and Sustainable Housing:**

- Enables long-term investment
- Unlocks access to housing finance
- Facilitates service provision and infrastructure
- Empowers participation in planning
- Strengthens resilience and stability
- Advances housing justice and inclusion
- Drives sustainable urban development

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TENURE SECURITY - Global Context



- Diversity of tenure arrangements where less than half of adults own their home; 30% live on family property; 15% rent; 10% rely on customary or informal tenure
- Only 43% of adults have formal tenure documents: LDCs - 19% vs. 82% - high-income countries
- Women hold only 24% of legal land documents despite representing half of those who feel secure
- Key drivers of insecurity - rapid urbanization, weak governance, systemic discrimination, land grabs, climate change, conflict and market-driven evictions
- Forced evictions are the most prominent and critical violations of tenure security
- **Tenure insecurity perpetuates poverty, displacement, vulnerability, undermining health, stability and resilience**

TENURE SECURITY – Regional Differences

Sub-Saharan Africa

- Customary and communal tenure widespread but legally unrecognized
- Evictions from weak land governance and speculative investments
- Women's tenure rights especially vulnerable

Latin America

- Legacy of land inequality; strong indigenous and peasant struggles
- Informal urban settlements persist; implementation of tenure laws lags
- Progressive frameworks emerging e.g. Brazil, Bolivia

South Asia

- Tenure insecurity tied to caste, class, gender
- Evictions from urban clearance, infrastructure expansion
- Legal reforms exist but enforcement is inconsistent

Pacific Islands

- Climate change threatens traditional tenure systems
- Relocation plans lack legal tenure protections

Southeast Asia

- Large-scale land concessions without FPIC trigger displacement
- Tenure insecurity worsened by climate risks and coastal resettlements

Eastern Europe and Central Asia

- Post-socialist transitions caused tenure fragmentation
- Unclear restitution, overlapping claims in peri-urban areas

Middle East and North Africa

- Conflict and displacement weaken property systems
- Discrimination and destroyed records challenge restitution

Western Europe and North America

- Gentrification, rent hikes drive evictions
- Indigenous land claims remain unresolved

Gulf Cooperation Council

- Tenure stratification by citizenship and migration status
- Limited institutional fragility with high regulatory control

TENURE SECURITY – Emerging Positive Trends



- Recognition of the continuum of tenure rights beyond title-only models
- Integration of tenure security in slum upgrading and infrastructure projects
- Gender-responsive and inclusive approaches to strengthen tenure rights
- Adoption of digital technologies for transparent and efficient land governance
- Expansion of communal and cooperative land tenure models
- Prioritization of tenure security in contexts of displacement and climate change
- Decentralized land administration capacity

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Proposed Recommendations on Tenure Security for Housing

HSP/OEWG-H.2025/2
HSP/OEWG-H.2025/INF/3

Proposed Recommendations on Tenure Security

1. Enablers for Tenure Security and Sustainable Land Management

- Support the development and reinforcement of constitutional and legal frameworks that recognize and guarantee the right to adequate housing and all legitimate forms of tenure. (par. 57)

- Establish reliable land and property administration systems that effectively cover land and housing rights, land use and development, property valuation and taxation and dispute resolution. (par. 58)

- Strengthen the mandate, institutional capacity and resources of national and local authorities to administer and enforce tenure rights. (par. 59)

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Proposed Recommendations on Tenure Security

2. Data, New Technologies and Community-Generated Information

- Implement integrated digital platforms that combine data and documentation on tenure security, basic services, land use planning and demographic data to support the delivery of adequate housing. (par. 60)

- Leverage community-generated tenure data and new technologies to inform housing interventions. (par. 61)

Proposed Recommendations on Tenure Security

3. Diverse Tenure Options and Incremental Approaches

- Recognize and strengthen the full spectrum of legitimate tenure options that support the delivery of diverse housing solutions – with a focus on rental housing, informal settlement transformation, post-crisis housing recovery and reconstruction interventions. (par. 62)

- Adopt simplified, incremental tools to record land and housing rights to ensure inclusivity and cost-effectiveness. (par. 63)

Proposed Recommendations on Tenure Security

4. Protection Against Forced Evictions and Access to Justice

- Incorporate anti-eviction measures into legal frameworks and strengthen eviction monitoring systems. (par. 64)

- Reinforce national and local housing justice and dispute-resolution mechanisms to mitigate eviction risks. (par. 65)

THANK YOU!

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